Commission for Public Complaints Against the RCMP

2009–2010 Estimates

Part III – Report on Plans and Priorities

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Table of Contents

Chair's Message 1

Section I – Overview 2

1.1 Summary Information 3

Raison d'être: Vision, Mission and Mandate 3

Strategic Outcome 3

1.2 Planning Summary 4

Financial Resources ($ Thousands) 4

Human Resources (Full-Time Equivalents - FTEs) 4

Contribution of Priorities to Strategic Outcome 5

Risk Analysis 6

Expenditure Profile 9

Voted and Statutory Items 10

Section II – Analysis of Program Activities by Strategic Outcome 11

2.1 Strategic Outcome 12

2.1.1 Program Activity: Civilian review of RCMP members' conduct in the performance of their duties 12

Program Activity Summary 13

Planning Highlights 14

Benefits for Canadians 14

2.1.6 Program Activity: Internal Services 15

Program Activity Summary & Planning Highlights 15

Section III – Supplementary Information 16

3.1 Other Items of Interest 16

Chair's Message

The Commission for Public Complaints Against the RCMP (CPC) performs an important function in society: civilian review of the RCMP's activities so as to hold the RCMP accountable to the public. This public accountability is not only an essential part in helping ensure that police officers exercise their considerable authority legally and appropriately but is also a structured response by the government to address a challenging and evolving public safety environment.

An essential component of the government's commitment to strengthen the security of Canadians and their communities, the CPC contributes significantly to protecting citizens by building safer and healthier communities.

This Report on Plans and Priorities (RPP) is an amplification of our Strategic Plan; and as such is part of our integrated human resources and business planning and performance management process. In any element of the business planning cycle, be it the RPP, the Business Plan or a performance agreement for a senior manager, we build links not only to the Strategic Plan but also to how the government's direction is translated into results for Canadians.

In the last quarter of the 2007–2008 fiscal year, the CPC received 16 months of program integrity funding from Treasury Board to allow the CPC to fulfill its full mandate, which to that point had not been previously addressed given insufficient resources. The funded activities included community outreach, strategic policy and research, as well as streamlining the complaint and review processes.

The CPC will be asking Treasury Board to continue the amount of program integrity funding for this coming fiscal year as an interim measure pending the results of the policy work underway at Public Safety Canada on an enhanced review mechanism for the RCMP. We are optimistic that we will be successful in securing continued increased funding and this RPP is based on that premise. With respect to the two subsequent years, we revert back to our current A-base funding.

Paul E. Kennedy
Chair

Section I – Overview

1.1 Summary Information

Raison d'être: Vision, Mission and Mandate

The Commission for Public Complaints Against the RCMP (CPC) is an independent agency and is not part of the Royal Canadian Mounted Police (RCMP). The Commission's fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties, thereby holding the RCMP accountable to the public. This public accountability is not only essential in helping ensure that police officers exercise their considerable authority legally and appropriately but is also a structured response by the government to address a challenging and evolving public safety environment. The CPC has the authority to make findings and recommendations, but cannot impose discipline or make monetary awards to complainants.

The CPC's Vision and Mission statements set out why it exists, what it does to support the Government of Canada outcome of safe and secure communities.

Vision
Excellence in policing through accountability.

Mission
To provide civilian review of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

Mandate
The mandate of the CPC is set out in Part VII of the *RCMP Act* and can be summarized as follows:

- to receive complaints from the public about the conduct of RCMP members;[1]
- to initiate complaints to delve into RCMP conduct when it is in the public interest to do so;
- to conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- to hold hearings and conduct investigations; and
- to report findings and make recommendations.

Strategic Outcome

In order to effectively pursue its mandate, the CPC aims to achieve the following strategic outcome:

RCMP members are held publicly accountable for their conduct in the performance of their duties.

[1] Note: The term "members" as used in this document includes all persons appointed under the *RCMP Act*, i.e. both regular and civilian members of the RCMP.

1.2 Planning Summary

Financial Resources ($ Thousands)

2009–10	2010–11	2011–12
5,181	5,181	5,181

The financial resources table above provides a summary of the total planned spending for the Commission for Public Complaints Against the RCMP for the next three fiscal years. We are anticipating an additional $3,550K including Employee Benefits Plan (EBP), in interim funding for fiscal year 2009–2010.

Human Resources (Full-Time Equivalents - FTEs)

2009–10	2010–11	2011–12
40	40	40

The human resources table above provides a summary of the total planned human resources for the Commission for Public Complaints Against the RCMP for the next three fiscal years. If approved, we anticipate an additional 16 FTEs for 2009–2010 with our interim funding.

Strategic Outcome 1: RCMP members are held publicly accountable for their conduct in the performance of their duties.					
Performance Indicators Recommendations accepted by the RCMP and have been implemented.		**Targets** 100%			
Program Activity	**Forecast Spending 2008–09** ($ Thousands)	**Planned Spending** ($ Thousands)			**Alignment to Government of Canada Outcomes**
		2009–10	**2010–11**	**2011–12**	
Civilian review of RCMP members' conduct in the performance of their duties	8,731	5,181	5,181	5,181	**Social Affairs** Safe and Secure Communities

Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Links to Strategic Outcome	Description
Increase public awareness of the role and services of the CPC	On-going	SO 1	The CPC must provide a service that is open and accessible to the communities it serves. There remains a need to increase awareness of the existence and raison d'être of the CPC with the media and the public, particularly among marginalized groups. The CPC will continue its outreach efforts with Aboriginal and ethno-cultural communities; work to expand the use and relevance of its website among priority groups and continue to enhance its media relations efforts.
Strengthen the complaint and review processes	On-going	SO 1	The CPC is committed to improving the complaint and review processes. In order to improve the handling, tracking, and reporting of complaints, as well as to identify new trends, an enhanced Case Management System will be implemented.
Improve the relevance of review recommendations and identify continuing, emerging and new complaint trends	On-going	SO 1	In order to improve the relevance of review recommendations and to identify continuing, emerging and new complaint trends, it is essential that the CPC has the capacity to undertake research. The CPC will continue key research projects designed to understand the nature of and trends within public complaints and police/public interactions.
Management Priorities	**Type**		**Description**
Support management excellence	On-going	SO 1	The Management Accountability Framework (MAF) Round V assessment provided the CPC with directions on setting management priorities, for example, the need for a formal risk management framework. Key elements of the framework have now been developed; over the next year the corporate risk profile will be used to support management planning and decision making. The CPC, guided by the MAF assessment, will continue to enhance and improve its management practices in order to achieve management excellence.
Maintain a workplace of choice	On-going	SO 1	The CPC relies heavily on its talented and dedicated staff; therefore, it takes its human resource requirements very seriously. The CPC will continue the integrated business and human resources planning process in order to set the foundation for assessing and understanding our current and future needs. The CPC's integrated planning is also intended to identify optimal strategies and activities for the human resource management components of recruitment, retention, learning, development, employee engagement, promotion, succession, employment equity and official languages.

Risk Analysis

The environment in which police discharge their responsibilities has undergone significant change since the creation of the CPC 20 years ago. In 2006, the current government made "Accountability" one of its first five priorities. Furthermore, the recently enacted *Federal Accountability Act* provides new oversight mechanisms and strengthened whistle blower protection.

Governments have responded to these challenges by increasing police budgets and enacting new legislation. Police services have altered their investigative practices and since the year 2000 we have witnessed the growth of *ad hoc* and permanent integrated enforcement teams both domestically and internationally.

The RCMP within Canada plays a key role in this new policing mode. The RCMP is unique in that it is one of the very few police services in the world that is present at all three levels of government. While serving as the national police force, it also is the provincial police force in eight provinces and is the municipal police force in over 200 municipalities, some of which have a population base in excess of 400,000 persons. It is also the police force of jurisdiction for over 600 First Nations communities.

The area of public safety has experienced unprecedented change over the last 20 years. Globalization, mass migration, technological advancements and the existence of failed or failing states have all contributed to a witch's brew of sophisticated crime in the form of transnational organized crime, global terrorism, and the ever-ubiquitous Internet with its hackers, fraud artists and hate distributors.

The CPC welcomes the policy work that is currently underway at Public Safety Canada regarding an enhanced civilian review mechanism for the RCMP.

Some of the key factors that will influence the direction of the CPC in the next few years were considered in the development of its Strategic Plan and the setting of its priorities are outlined below. It is important to recognize that these factors are complex and that many are linked.

External Context
The CPC's clients are increasingly diverse in terms of their cultures, beliefs, values, attitudes and language. In addition to cultural diversity, there is also an urban-rural divide characterized by distinctly different beliefs, values and attitudes. It would also appear that ethnic groups are fragmented making it difficult to identify community leaders and spokespeople. It is a challenge for a small organization with offices in the National Capital Region and Surrey, B.C. to influence and understand diverse communities locally and across the country. There is increasing imbalance both within Canada and globally in terms of growing economic disparity. Notably, there are also a disproportionate number of Aboriginal people involved in the justice system.

The public's expectations regarding policing and public security are changing as evidenced by an apparent willingness to give up personal liberties to fight terrorism. Expectations are also evolving regarding what police oversight should be and how oversight bodies should behave. It continues to be a challenge to manage and respond to varying and sometimes conflicting expectations. Moreover, provincial policing oversight organizations have differing powers and resource levels than the CPC and, in general, have more up-to-date legislative frameworks.

Policing
Crime and criminals are continuing to grow in sophistication and criminal activity has become more global in nature. Policing technologies and techniques have evolved as well and police are required to interact with an expanding network of police forces worldwide. As well, there is an increasing range of police conduct not subject to review with the advent of new legislation and police practices.

Within the police community, there are varying levels of awareness of diversity issues and varying levels of skill in dealing with them. Certain realities face today's RCMP: a high number of new recruits, a high rate of turnover, a high number of baby boomers retiring, experienced members leaving the force for a variety of reasons, and a lack of resources have resulted in the inadequate mentoring of new members, understaffing of detachments, and morale issues.

In terms of the CPC's relationship with the RCMP, areas where there are shared interests may be under-exploited and there may be greater opportunities for sharing information and research resources. The complexity and size of the RCMP's organization and the frequent changes among operational staff mean that it is often a challenge to identify the appropriate contacts.

Government
Even in times of economic uncertainty, the government's priorities include a continued emphasis on ensuring that the justice system is working effectively and that Canadians are safe. This will continue to present a challenge to the CPC and to the government with respect to finding the right balance between the level of policing and the level of review in terms of both resources and powers.

In addition, the government has undertaken to strengthen and improve the management of Canada's federal agencies, boards, commissions and Crown corporations to achieve greater cost-effectiveness and accountabilities. Changing the fiscal balance within Canada and renewing federalism are also on the government's agenda. This may result in greater powers and resources for provinces, territories and municipalities.

Other events having an impact on the CPC include the results of the *O'Connor Commission's* review, the *Air India Inquiry* and the report of the *Task Force on Governance and Cultural Change in the RCMP.*

Key Risks
The CPC has identified a number of risks that have the potential to impede progress made towards the achievement of its strategic outcome and expected results. The primary risks, and our efforts to mitigate them include the following:

There is a risk that the CPC will not receive its requested interim funding from Treasury Board to continue critical work in the area of outreach, strategic policy and research. When the CPC received 16 months of program integrity funding late in 2007, it developed an integrated human resources plan to address the temporary positions required. The majority of human resources were obtained based on secondments from other departments/agencies, term positions, casuals and some contractors, as well as a few key indeterminate appointments. The CPC has been successful to date; however, a number of our current staff who are on secondment or term assignments will start looking elsewhere if we are not successful in extending the temporary funding for the 2009–2010 fiscal year. This loss of highly skilled and experienced personnel

would be detrimental to the CPC in fulfilling its mandate, all outreach activities would cease, critical strategic policy and research projects would be incomplete, and progress on a new Case Management System would be lost. It would be difficult for the CPC to pick up the pieces of these key projects at a later date and it would essentially be in a position of starting from scratch.

Aside from the need for permanent funding, the CPC faces the same recruitment and retention challenges as other organizations. It has already taken steps to mitigate this risk; prior to receiving program integrity funding in the last quarter of the 2007–2008 fiscal year, it developed and has maintained an integrated human resources plan that utilizes tools made available under the *Public Service Modernization Act,* including pooled staffing and obtaining the best fit candidates for key positions. The CPC has also established a supply arrangement for investigative services to handle additional workload or specialized cases. The CPC continues to prioritize creating a workplace of choice; it undertakes a yearly staff survey to identify strengths and weaknesses, has implemented a Pride and Recognition program and has established and communicated a Code of Conduct for employees.

Related to human resources is the risk that due to vacancies in outreach positions we may fall short of our objective to increase awareness of the role and services of the CPC specifically among marginalized populations. The CPC will prioritize its outreach plan based on resources and skill sets on a quarterly basis.

The CPC's recommendations to the RCMP are not binding; therefore, there is a risk that even if the recommendations are accepted, due to competing priorities, they may not be implemented. To mitigate against this risk, the CPC will take follow-up action to assess and monitor the implementation of its recommendations and will encourage the RCMP to account for non-compliance.

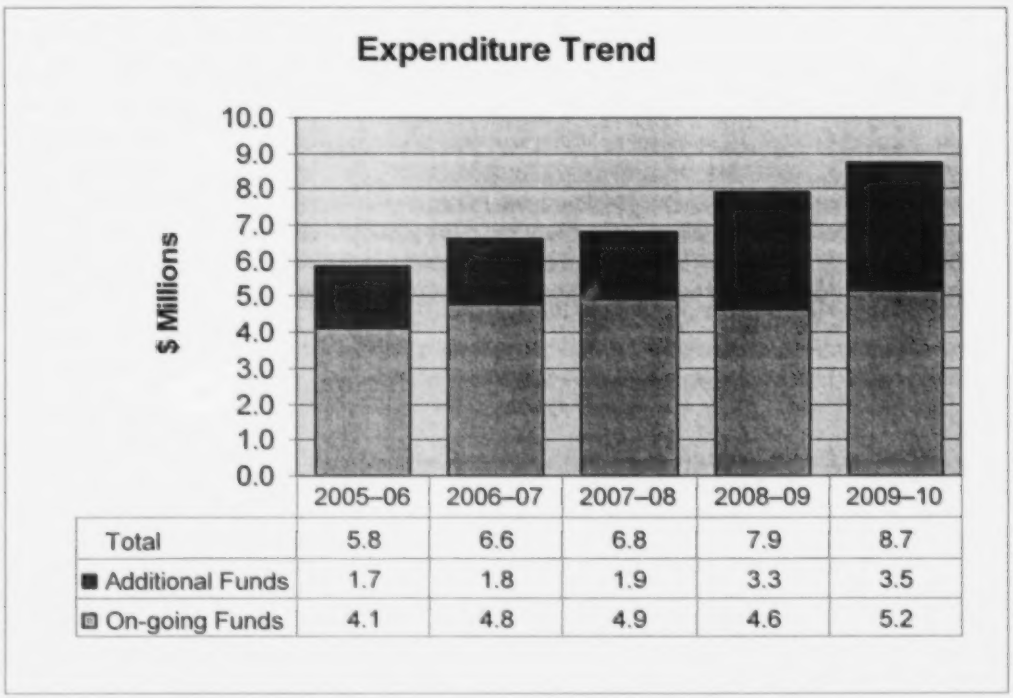
The CPC has no control over serious confrontations between the RCMP and the public that it must respond to, for example, with a Chair-initiated complaint. Such events impact on workloads across the CPC and have the potential to negatively impact the achievement of service standards. In addition, there is a risk of not having sufficient financial or human resources to respond to such events. To mitigate this risk, the CPC ensures its budget is flexible enough to accommodate such events, that finances are monitored closely on a monthly basis and when priorities shift, management ensures that staff understand where priorities stand.

The CPC also has no control over its day to day workload and over the last three years (2006–2007 to 2008–2009) has experienced an unprecedented increase in its workload. The number of complaints received has increased by over 130% (756 to a projected 1,740 in 2008–2009). Of more consequence is the near 100% increase in requests for review cases over the same time period (159 to a projected 300 in 2008-2009). Notably, the CPC has observed an increase in the level of sophistication and complexity of the issues raised in both the complaints lodged against the RCMP as well as with review cases. The CPC has made it a priority to meet its established service standards and over the past year, these standards have only been met through the extraordinary efforts of senior management and through the use of overtime. The trend indicates increasing volumes for both complaints and reviews; there is a risk that this increased workload is simply not sustainable causing the CPC to fall short in meeting its service standards. To mitigate this risk, the CPC may have no choice but to adjust its service standards and targets downwards or reallocate resources internally resulting in an erosion of service to the public.

Expenditure Profile

In order to meet the expected results of its program activities and contribute to its strategic outcome in fiscal year 2009–10, the CPC plans to spend a total of $8.7M including EBP ($5.2M in on-going funding and $3.5M in interim funding). In the fall of 2008, as an interim measure pending the results of the policy work underway at Public Safety Canada on an enhanced review mechanism for the RCMP, the CPC developed a business case for funding from the Treasury Board Management Reserve that would allow it to continue the work previously funded under Program Integrity. The CPC is optimistic that it will receive this funding and these plans reflect the increased amounts.

The chart below illustrates the CPC's spending trend from 2005–06 to 2009–10 (includes EBP but excludes accommodation charges).



	2005–06	2006–07	2007–08	2008–09	2009–10
Total	5.8	6.6	6.8	7.9	8.7
Additional Funds	1.7	1.8	1.9	3.3	3.5
On-going Funds	4.1	4.8	4.9	4.6	5.2

From 2005-06 until 2007-08 the CPC received additional funding for the Kingsclear public interest investigation. In the last quarter of fiscal year 2007–08, the CPC received 16 months of program integrity funding. The funding allowed the CPC to fulfill its mandate, which could not previously be addressed given its current on-going funding. These activities included community outreach, strategic policy and research, as well as streamlining the complaint and review processes which will be advanced if the CPC receives its interim funding for fiscal year 2009-10.

Voted and Statutory Items

This table illustrates the way in which Parliament approved CPC resources, and shows the changes in resources derived from supplementary estimates and other authorities, as well as how funds were spent.

Vote # or Statutory Item (S)	Truncated Vote or Statutory Wording	2008–2009 Main Estimates ($ thousands)	2009–2010 Main Estimates ($ thousands)
70	Program expenditures	7,934	4,655
(S)	Contributions to employee benefit plans	742	526
	Total	8,676	5,181

Section II – Analysis of Program Activities by Strategic Outcome

2.1 Strategic Outcome

RCMP members are held publicly accountable for their conduct in the performance of their duties.

The following section describes the CPC's sole program activity and the results it is trying to achieve, performance indicators and targets. This section also explains the priorities that the CPC has set for 2009–2010 and how it plans to achieve the expected results and presents the financial and non-financial resources it plans to use to achieve results.

2.1.1 Program Activity: Civilian review of RCMP members' conduct in the performance of their duties.

The following graphic outlines the CPC's Program Activity Architecture and the priorities it has set for 2009–2010.

Strategic Outcome	**RCMP members are held publicly accountable for their conduct in the performance of their duties**		
Program Activity	**Civilian review of RCMP members' conduct in the performance of their duties**		
Priorities for 2009–2010	**Increase public awareness of the role and services of the CPC**	**Strengthen the complaint and review processes**	**Improve the relevance of review recommendations and identify complaint trends**

Program Activity: Civilian review of RCMP members' conduct in the performance of their duties					
Human Resources (FTEs) and Planned Spending ($ Thousands)					
2009–10		2010–11		2011–12	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
18	3,191	18	3,191	18	3,191

Program Activity Expected Results	Performance Indicators	Targets
Improve access to and openness of the public complaint process.	The percentage of complaints received from the public directly by the Commission is increased.	Annual increase of 5%

Program Activity Summary

The CPC is an independent federal agency established in 1988 to receive and review public complaints about the conduct of RCMP members in a fair and impartial manner.

The fundamental role of the CPC is to provide civilian review of RCMP members' conduct in the performance of their policing duties. The CPC holds the RCMP accountable to the public by providing, at the request of complainants, an independent review of the RCMP's disposition of complaints and by making recommendations to the RCMP Commissioner.

The process for lodging a complaint under the current legislation is as follows: members of the public may make complaints about the conduct of RCMP members to the RCMP, the CPC or the provincial authority responsible for policing. Complaints are normally sent to the RCMP first for investigation. The RCMP then conducts an investigation as to the alleged misconduct and issue a ruling in the first instance. The RCMP Commissioner is required to report the results of these investigations to complainants. If complainants are not satisfied with the RCMP's handling of the complaint, they may ask the CPC for a review of their case. The Chair of the CPC may also initiate a complaint if he considers there are reasonable grounds to do so

When reviewing a complaint, the CPC does not act as an advocate either for the complainant or for RCMP members. Rather, its role is to conduct an independent inquiry and reach objective conclusions based on the information available.

In conducting its review, the CPC considers all relevant information provided by the complainant and the RCMP. If it is not satisfied that the information is complete, it asks the RCMP for additional information or, where appropriate, conducts its own independent investigation.

The Chair also has the authority to hold a public interest hearing to inquire into a complaint.

If the Chair is not satisfied with the RCMP's handling of a complaint, the Commission will issue an interim report of its findings and recommendations; after the RCMP Commissioner replies to this interim report, a final report is forwarded to the Minister of Public Safety, to the RCMP

Commissioner and to all parties. Alternatively, if the Chair concludes that the RCMP responded adequately to the complainant's concerns, a final report is delivered stating that the RCMP's handling of the complaint was satisfactory.

Planning Highlights

In order to achieve the expected result, assuming that it will be successful in obtaining the requested interim funding, the CPC has set the following priorities and plans to undertake the following activities:

1. Increase public awareness of the role and services of the CPC

The CPC will continue its outreach to stakeholders and marginalized populations, such as aboriginal and ethno-cultural communities. It also will continue to improve its website to encourage use and ensure its relevance among priority groups. In 2009–2010, the CPC will also continue to enhance its media relations efforts.

2. Strengthen the complaint and review processes

The CPC will endeavour to continue to meet its service standards and enhance efficiencies within the complaint and review processes. Additionally, it plans to develop and implement a new Case Management System. The CPC is also working to identify complaint trends and make recommendations for changes to national policing policy. In order to track actions taken by the RCMP on recommendations, the CPC will establish a follow-up process. The CPC will continue to collaborate more closely with the provinces, territories, RCMP and stakeholders regarding common interests.

3. Improve the relevance of review recommendations and identify continuing, emerging and new complaint trends

In 2009-2010, the CPC will undertake research projects designed to understand the nature of and trends within public complaints and police/public interactions and will identify trends in policing and make recommendations for changes in national policing policy, training and behaviours. The CPC will continue to foster greater collaboration among domestic and international police review bodies, governments, academics and stakeholders

Benefits for Canadians

Safe and secure communities is a defining characteristic of the Canadian way of life and Canadians are rightly proud of that tradition of community safety and security. Canadians deserve to live in a just society, to have faith in their justice system, and to be protected against violence and criminal acts.

The CPC provides civilian oversight of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public. Its job is to help find and shape a balance between individual rights and collective security.

The Commission makes a significant contribution to protecting citizens by building safer and healthier communities and its work is an essential component of the government's commitment to strengthen the security of Canadians. Canadians must have confidence in their national law enforcement agencies. The CPC's oversight ensures that this confidence, faith and trust is well-placed.

2.1.6 Program Activity: Internal Services

Financial Resources ($ thousands)		
2009–2010	2010–2011	2011–2012
1,990	1,990	1,990

Human Resources (Full-Time Equivalents)		
2009–2010	2010–2011	2011–2012
22	22	22

Program Activity Summary & Planning Highlights

Internal Services
Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

The CPC must comply with the same central agency expectations and requirements (comptrollership, management and accountability systems, security, etc.) as do medium and larger departments that enjoy substantial specialized resources in the fields of planning, IT, human and financial resources, and evaluation. The compelling responsibilities require the CPC to identify, train and retain corporate staff with a wide scope of duties and responsibilities. This takes a heavy toll on human and financial resources. The CPC has set the following priority for internal services:

SUPPORT MANAGEMENT EXCELLENCE AND MAINTAIN A WORKPLACE OF CHOICE

The CPC will continue to ensure that a modern human resources management regime is in place and will support effective labour-management relations that provide opportunities for professional and leadership development. The CPC will also respond to MAF assessment priorities.

Section III – Supplementary Information

3.1 Other Items of Interest

- http://www.cpc-cpp.qc.ca/